

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JEFFERY L. CAMPBELL,

Petitioner,

v.

JAMES E. THATCHER,

Respondent.

Case No. C07-5315RBL/JKA

ORDER DENYING
PETITIONER'S MOTION FOR AN
ORDER TO SHOW CAUSE

This 28 U.S.C. § 2254 petition for habeas corpus relief has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636 (b) and local Rules MJR 3 and 4. Before the court is petitioner's motion asking the court to direct respondent to appear with the petitioner in Federal Court and then and there show cause why petitioner is being held (Dkt # 22).

The court ordered service of this petition on December 4, 2007 (Dkt # 16). An answer is not due until January 18, 2008. Respondent has responded to the motion for an order to show cause and argues he should be given the opportunity to file a response to the petition before having to appear. Respondent concludes petitioner's motion is premature (Dkt # 24). The court concurs. Petitioner's motion is **DENIED**.

The Clerk is directed to mail a copy of this Order to petitioner and counsel for respondent.

DATED this 14 day of January, 2008.

/s/ J. Kelley Arnold
J. Kelley Arnold
United States Magistrate Judge